



TECHNICAL STAFF REPORT **“AUTUMN OVERLOOK”**

Planning Board Hearing of January 3, 2013 at 7:00 p.m.

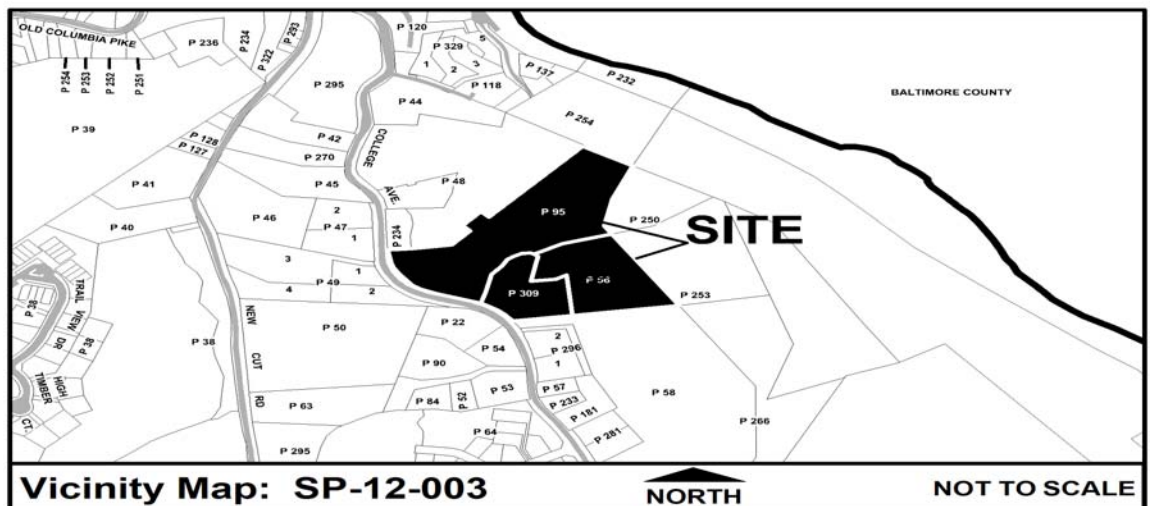
Case No./Petitioner: PB Case No. 396, Taylor Village Family, LLC

Project Name: “Autumn Overlook”, SP-12-003

Request: The request is for approval of a Preliminary Equivalent Sketch Plan (PES) for the subdivision of 20 single-family detached residential lots 4 open space lots, two public roads and other site improvements on 11.71 acres of land in accordance with Section 107E. of the Howard County Zoning Regulations which requires Planning Board approval of Preliminary Equivalent Sketch Plans for proposed developments in the R-ED (Residential: Environmental Development) zoning district.

Recommendation: The Department of Planning and Zoning recommends that the Planning Board approve this Preliminary Equivalent Sketch Plan subject to compliance with the SRC agency comments issued for SP-12-003.

Location: The single family dwellings, open space lots and public rights-of-way would be located on the east side of College Avenue on Tax Map 25, Grid 14, Parcels 56, 309 and 95 in the Second Election District of Howard County, Maryland. Per the Historic Sites Map and the Historic District Commission (HDC), the subject property is **not** located within the Ellicott City Historic District.



<u>Vicinal Properties:</u>	The subject property is identified as Parcels 56, 309 and 95, situated on the east side of College Avenue. Residential Parcels 234 (owned by Raymond & Patricia Sadler) and 48 (known as the Cotter Property- Lot 1) (owned by Geoffrey and Patricia Hermanstorfer) adjoin Parcel 95 to the northwest and Parcel 254 (owned by Christopher Schisler and Robert Stimmel) adjoins Parcel 95 to the north . Adjoining the subject property (Parcels 56 and 309) to the east are Parcels 250 & 253 (owned by the State of Maryland-Department of Forests and Parks). College Avenue abuts the project to the south . All adjoining properties are zoned R-ED.
<u>Legal Notices:</u>	The subject property was properly posted with one (1) official Planning Board notice, at the entrance to the proposed subdivision along College Avenue. Certification that the legal advertisements appeared in the <u>Baltimore Sun</u> on November 25, 2012 and in the <u>Howard County Times</u> on November 29, 2012 were placed into the file for the record.
<u>Regulatory Compliance:</u>	This project is subject to compliance with the amended Fifth Edition of the Howard County Subdivision and Land Development Regulations, the Howard County Zoning Regulations, the Howard County Design Manual, the Comprehensive Zoning Plan (2/2/04), the 2006 Comprehensive Lite Zoning Regulation Amendments (effective 7/28/06), the Adequate Public Facilities Ordinance (APFO) and the Howard County Forest Conservation and Landscape Manuals.
<u>Site History:</u>	<p>SP-06-010 (“Weavers Court”) (Preliminary Equivalent Sketch Plan) (Parcel 95(originally submitted on November 22, 2005) proposed a total of 10 residential lots ranging in size from 6,538 square feet to 10,305 square feet, with access onto a proposed internal public road (“Weavers Court”). Four open space lots were also proposed ranging in size from 2,178 square feet (non-credited) to 1.84 acres. The Preliminary Equivalent Sketch Plan was signed by the Planning Director and thereby approved on May 23, 2008. This SP is still considered “active” until SP-12-003 (“Autumn Overlook”) is reviewed and approved by the Planning Board.</p> <p>F-09-036 (“Weaver’s Court”), involving Parcel 95, was initially submitted on September 30, 2008. It originally proposed buildable Lots 1-10 and Open Space Lots 11-15. The proposal underwent 1 review and then on December 31, 2008, the applicant requested an extension of time to submit revised plans in consideration of the need for the consultant to coordinate with the Department of Public Works with regard to the current Capital Project J-4213 for College Avenue road improvements and any subsequent amendment to the “Weavers Court” plat/Plan. They were granted an extension based on “government delay” on January 5, 2009. The extension was granted to March 8, 2009. The applicant requested and received 2 additional extensions.</p> <p>During this time, the applicant and owner of the adjacent property located at 3965 College Avenue began discussions to combine the “Weavers Court” and McPherson properties and subsequently create a redesigned subdivision totaling 20 single-family residential lots. The new project (still F-09-036) was proposed to be phased, with the initial phase using the already approved allocations. The remaining phases would be placed into the “hold bin” and would be approved only upon passing all APF tests.</p> <p>WP-12-165 (“Autumn Overlook”) was approved, with conditions, by the Planning Director on July 23, 2012. The waiver was to Section 16.1205(a)(10) which requires the retention of specimen trees (30” dbh or greater) that are not contained within other priority forest retention areas as outlined in Section 16.1205(a)(1-9). A waiver to Section 16.116(b) which prohibits grading, removal of vegetative cover and trees, structures and paving on land with</p>

existing steep slopes. This waiver was approved, subject to the following conditions:

1. Impacts to steep slopes (25% or greater) may not be greater than a total of 0.23 acres of existing slope unless it can be sufficiently demonstrated by the applicant to be justified.
2. Waiver approval is limited to the removal of specimen trees #1, #3-6, #8, #14-17, #23, and #26-28 as depicted on the waiver exhibit. Any proposal to remove additional specimen trees will require a new waiver request or an amendment to this waiver request.
3. Detailed protective measures for specimen tree #21 shall be outlined on the waiver exhibit (Sheet 6 of SP-12-003 which also serves as the Landscape and Forest Conservation Plan).
4. The additional landscaping proposed behind Lots 1-6 will be considered mitigation to the removal of the 14 specimen trees and shall become part of the approved Landscape Plan and will be bonded accordingly.

General Comments: **Site and Density Information:**

■ Total Gross Site Area.....	11.71 acres
■ Minus Area of Floodplain.....	0.00 acres
■ <u>Minus Area of Steep Slopes (25% or greater).....</u>	<u>1.49 acres</u>
■ Total Net Tract Area.....	10.22 acres
■ Permitted Base Density (2 units per acre).....	20 lots
■ Total Numbers of Units Proposed.....	20 lots
■ Total Area of Proposed Residential Lots.....	3.17 acres
■ Limits of Disturbance (60%).....	7.03 acres
■ Total Open Space Required (50% of Gross Area).....	5.86 acres
■ Total Open Space Proposed (58.5 % of Gross Area).....	6.85 acres
■ Recreational Open Space Required and Provided.....	6,000 S.F.

Overall site conditions and pending proposal: The subject property contains approximately 11.71 acres of land and is located on College Avenue (a scenic road) on Tax Map 25, Parcel Nos. 56, 309 and 95 in the Second Election District of Howard County, Maryland. The site is zoned R-ED (Residential: Environmental Development District) and was the site of the historic “Hazlehurst Cottages”. These structures are proposed to be removed and their demolition has been approved by the Historic District Commission. The site is encumbered by wetlands, streams (both intermittent and perennial), their associated buffers, and steep slopes. In addition, the property contains 8.66 acres of existing forest and has been tagged as potential Forest Interior Dwelling Bird (FIDS) habitat.

The pending preliminary equivalent sketch plan, SP-12-003 (initially submitted on January 25, 2012) currently proposes a total of 20 residential lots ranging in size from 6,200 square feet to 8,026 square feet. All would gain access onto one of two planned public roads. Four open space lots are also proposed ranging in size from 6,696 square feet to 5.98 acres. By letter dated November 20, 2012 the Preliminary Equivalent Sketch Plan was considered “approvable” subject to Planning Board approval and minor comments issued by the Development Engineering Division, DPW-Transportation and the Division of Land Development.

Historic District Commission (HDC): A meeting of the Historic District Commission was held on January 5, 2006 to discuss the “Hazlehurst Cottages” located at 3961 College Avenue and designated as HO-855 on the Howard County Historic Sites Map. The cottage

buildings (4 “contributing” (built in the late 1800s) and one “non-contributing” building) have been documented by the Howard County Historic Sites Surveyor and have been determined to be in poor condition. The HDC had no objection to their demolition.

Capital Project J-4231: Portions of Parcel 95 will be affected by Capital Project J-4231. College Avenue is subject to road improvements (re-alignment/slope repair) which will include grading, geo-grid slope stabilization reinforcement, sight distance easement, storm drain system and easement and maintenance access easement to the outfall (plunge pool). This project is expected to commence in the Spring of 2013 and will be completed in the Fall of 2013. For safety and sight distance reasons, portions of Parcel 95 are not permitted to be planted with trees.

Scenic Roads: College Avenue is considered a scenic road and the project therefore must meet the requirements of Section 16.125 (Protection of Scenic Roads) of the Howard County Subdivision and Land Development Regulations. An isolated area of small trees located east of the proposed entrance will be removed along College Avenue in order to install the new entrance to insure adequate sight distance. The Planning Director’s office has determined traffic safety to be an important justification for proposed clearing along College Avenue. Clearing will be kept to a minimum and landscape buffering (outside of the sight distance buffer) along Perimeter 1 will be increased. Housing and roadways will be set back from College Avenue to help maintain existing views.

Water and Sewer: This project will be served by public water and sewer service. Public water will be provided through contract drawing numbers 14-4737-D and 134-W. Public Sewer will be provided through contract drawing numbers 14-4737-D and 661-W&S.

APFO Roads Test: This project passed the APFO Roads test requirements by submitting an Adequate Public Roads Facility study with the processing of this Preliminary Equivalent Sketch plan. This study was determined to be acceptable by the County (Development Engineering Division and Department of Public Works). The study found that the studied intersection of MD 144 and Old Columbia Pike is projected to maintain a good Level of Service “B” or better during the morning and evening peak hours.

Schools Test: This project is located in the Ellicott City Planning Area, the Northeast School Region, the Worthington Elementary School District and the Ellicott Mills Middle School District. Upon signature of the Decision and Order for this hearing, the test for availability of housing unit allocations and school capacity will be taken. At the present time, housing unit allocations are available in the Ellicott City Planning Area, the Northeast School Region and the elementary and middle school districts are open.

Noise Impact Analysis: A Noise Impact Analysis was not required for this project.

Stormwater Management: Stormwater management is provided using the current Environmental Site Design as required by the “Stormwater Management Act of 2007.” Management of runoff is controlled by the use of seven Micro-bioretenion facilities, grass swales, rooftop disconnection practices and rain barrels. The remaining groundwater recharge component of stormwater management shall be achieved in stone reservoir storage below the micro-bioretenion facilities.

Forest Conservation: There are 8.66 acres of existing forest on site, located primarily in the area of on-site steep slopes. Of the 8.66 acres of forest, 5.48 acres are proposed to be cleared or maintained outside of a FCE. The remaining 3.18 acres and an additional 1.12 acres of forest planting are proposed to be maintained within nine separate easement areas ranging in size from 0.01 acres to 1.64 acres. Planting easements will use large 2-inch

caliper stock. This on-site retention and planting will address the requirements of the Forest Conservation Act. No additional off-site easements will be required.

Environmental Concerns: The gross site area is 11.71 acres, of which 1.49 acres (or approximately 12.72% of the total site acreage) are encumbered by steep slopes (slopes that are 25% or greater). The majority of these slopes would be contained within the proposed forest conservation easements. In order for the subdivision to move forward, 0.23 acres of steep slopes (25% or greater) will need to be disturbed for the relocation of the sanitary sewer main, proposed storm drain and proposed tee-turnaround with retaining walls to minimize the limit of disturbance. This site is oddly shaped site (resembles a “bowl”) and is highly encumbered by steep slopes in certain areas, making design of the project a unique challenge. Utility connections, stormwater outfalls, storm drains and retaining walls are considered a safety feature and/or necessary to the project and may be considered “necessary disturbances”. Disturbance of 0.23 acres of steep slopes is permitted under waiver approval for WP-12-165.

The site contains a perennial stream (Use I), intermittent stream, associated stream buffers, wetlands and associated wetland buffers within the western portion of the property and a perennial and ephemeral stream on the eastern side. There are no proposed disturbances to these areas. As previously stated, of the existing 8.66 acres of forest, 5.48 acres are proposed to be cleared or maintained outside of a FCE. All forest conservation obligations are proposed to be met on-site. There were 28 specimen trees identified on site with 14 proposed for removal and 14 proposed for preservation within HOA County owned Open Space. On July 23, 2012, approval was granted by the Planning Director under WP-12-165 for the removal of those 14 trees.

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This site has also been identified as potential Forest Interior Dwelling Bird (FIDS) habitat. This does not inhibit development but requires that development be restricted to non-areas whenever possible. If forest lost cannot be avoided, the project must restrict the perimeter of existing forest, existing smaller areas of forest (300’ wide or less), forest less than 50 acres in size and portions of the forest with lower quality FIDS. This proposal respects these restrictions to the extent possible.

Landscaping: This project will meet the requirements of the Howard County Landscape Manual through both plantings and credit for existing vegetation. Additional landscaping will be provided along Perimeter 1 (see sheet 6 of the Landscape Plan) and behind proposed lots 1-6 is being added to address scenic road concerns and as mitigation to the removal of 14 specimen trees on site (as required under WP-12-165).

Setback Requirements: The following setbacks are required per the R-ED zoning district:

- 20’ setback for structures from an internal street right-of-way.
- 75’ setback for structures from an external street right-of-way.
- 20’ front yard setback for structures from a property line.
- 7.5’ side yard setback for structures from a property line.
- 25’ rear yard setback for structures from a property line.
- 30’ for structures in single-family detached developments from project boundaries.

This project currently respects all required setbacks.

Planning Board Evaluation Criteria:

Section 107.E.6. of the Howard County Zoning Regulations outlines the following criteria to be used for evaluating a Preliminary Equivalent Sketch Plan in the "R-ED" Zoning District:

1. "The proposed lay-out of lots and open space effectively protects environmental and historic resources."

The proposed subdivision plan is designed to effectively protect, preserve and minimize the limits of disturbances of the environmental resources on the property. The proposed layout of the subdivision has taken into account the environmental features on this parcel of land. Road alignments have been designed to avoid disturbances to environmental features. Proposed bio-retention facilities are configured to conform to the topography, accommodate environmental features and minimize the need for additional open space clearing. The majority of the wooded steep slope areas will be protected within forest retention easements located within the proposed Open Space lots. To facilitate the protection of forest and to fulfill the objectives of the R-ED zoning district, the sizes of the residential lots have been minimized and open space has been provided in excess of the required 50% obligation (5.86 acres required, 6.88 acres provided). These lots have been configured to help preserve specimen trees, forest resources, and streams and are oriented to be contiguous with the adjacent State Park property. Per the HDC, there are no historic resources on site which are of a quality to merit retention.

2. "Buildings, parking areas, roads, storm water management facilities and other site features are located to take advantage of existing topography and to limit the extent of clearing and grading."

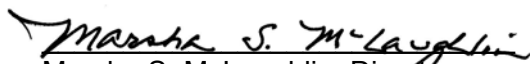
The proposed subdivision plan design has been determined adequate in taking advantage of the uniqueness of the site's topography and forests by minimizing the limits of clearing and grading necessary to construct houses, roads, swm facilities and public utilities. The proposed lots, public roads and stormwater management facilities have been designed to minimize grading impacts and impacts to environmental features. Grading and clearing have been minimized to the greatest extent possible while facilitating the development to the property. Tee turnarounds have been utilized to reduce the development envelope and extent of grading. This has helped to meet the required forest conservation obligation by means of on-site forest retention and planting located on Open Space lots. The proposed roads and houses have been oriented to take advantage of the existing grades.

3. "Setbacks, landscaped buffers, or other methods are proposed to buffer the development from existing neighborhoods or roads, especially from designated scenic roads or historic districts."

The proposed subdivision plan maintains setbacks, landscaped buffers and existing forested areas along the project boundaries to sufficiently buffer the development from the existing surrounding community and from College Avenue, a scenic road. The site has been designed to concentrate development in the non-wooded areas and wooded areas which are not impacted by environmental restrictions. The closest house (Lot 20) to College Avenue will be located 75 feet from the right-of-way and is oriented to the internal road, resulting in the smallest house dimension (the side) facing College Avenue. The proposed development will be buffered from College Avenue, a scenic road, by retention of certain treed areas and additional tree planting in the form of street tree landscaping, perimeter landscaping and mitigation for the loss of certain specimen trees. The State Park is located to the east and a large portion of that perimeter is located within a forest conservation retention easement. This site is not located within the Ellicott City Historic District.

SRC Action:

The Subdivision Review Committee (SRC) determined this plan may be approved, subject to the compliance with comments from the Development Engineering Division, Department Public Works-Transportation and the Division of Land Development. **The Preliminary Equivalent Sketch Plan file is available for public review at the Public Service Counter of the Department of Planning and Zoning, Monday through Friday, 8:00 a.m. to 5:00 p.m.**


Marsha S. McLaughlin, Director
Department of Planning and Zoning

12/18/12

Date